

102

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** Community Health Agency/Department of Public Health

**SUBMITTAL DATE:**  
January 3, 2007

**SUBJECT:** Adoption of Resolution 2007-012, Authorizing Additional Funding of the EMS ("Maddy") Fund

**RECOMMENDED MOTION:** That the Board of Supervisors adopt Resolution 2007-012 Authorizing Additional Funding of the Emergency Medical Services ("Maddy") Fund.

**BACKGROUND:** On September 30, 2006, the Governor signed into law SB 1773 and, thereby, enacted Section 76000.5 of the Government Code as of January 1, 2007. The statute permits a county board of supervisors to elect a levy of an additional penalty assessment, in the amount of \$2 for every \$10 or fraction thereof, upon court imposed and collected fines, penalties, and forfeitures for specified criminal offenses and directs such funds, if collected, be deposited in the County's Emergency Medical Services (MADDY) Fund #11038 and disbursed pursuant to Health and Safety Code section 1797.98a, as amended by SB 1773.  
Continued

FORM APPROVED  
COUNTY COUNSEL

JAN 04 2007  
BY [Signature]

Departmental Concurrence

BM/pb

*William Lawrence for SH.*  
Susan Harrington, Director  
Department of Public Health

**FINANCIAL DATA**

Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	NO
Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	NO
Annual Net County Cost:	\$ 0	For Fiscal Year:	06/07

<b>SOURCE OF FUNDS:</b> 100% EMS Fund and Penalty Assessments	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE

**County Executive Office Signature** *Debra Counger*

- Policy
- Policy
- Consent
- Consent

Dept't Recomm.:  
Per Exec. Ofc.:  
10307A

RECEIVED RIVERSIDE COUNTY  
JAN 04 2007

**Prev. Agn. Ref.:** **District:** ALL **Agenda Number:**

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

3.6

**SUBJECT:** Adoption of Resolution 2007-012

As directed by the statutes and the proposed resolution, the additional funds will be expended according to the following allocation: 15% will be used to improve access to, and coordination of, pediatric trauma and emergency services in the county, with preference given to hospitals that specialize in services to children, and physicians and surgeons who provide emergency care to children; 10% of the funds will be used to offset the cost of administering the money deposited into the EMS (Maddy) Fund; and, the remaining balance of the funds will be distributed so as 25% will go to trauma hospitals, 58% will go to physicians providing emergency care, and 17% will go to the Community Health Agency's Emergency Medical Services Program.

Riverside County Regional Medical Center (RCRMC) has temporary approval as a Level II Pediatric Trauma Center. As such, RCRMC could receive the funds allocated to pediatric trauma services as specified above. We expect this amount to be approximately \$450,000 per year that could be used to support the pediatric trauma center and related services to children at RCRMC.

As provided by Section 76000.5, this additional funding of the EMS Fund expires on January 1, 2009 unless a later enacted statute extends this end date.

This additional assessment is supported by Riverside County Medical Association (RCMA) and Hospital Association of Southern California (HASC).

**Financial Information**

Once implemented by the Courts, this additional funding could generate up to \$3 million per year for the EMS (Maddy) Fund. For Fiscal Year 06/07 we expect the fund to collect approximately \$500,000. The appropriate budget adjustments will be made in future quarterly reports to account for the increase in funds.

2 **RESOLUTION NO. 2007-012**

3 **AUTHORIZING ADDITIONAL FUNDING OF THE**  
4 **EMERGENCY MEDICAL SERVICES (MADDY) FUND**

5 WHEREAS the Riverside County Board of Supervisors established the Emergency Medical  
6 Services (EMS) "MADDY" Fund on January 1, 1988 for the deposit of certain penalty assessments  
7 collected pursuant to Section 1465 of the Penal Code, and authorized the specific allocation of all  
8 penalty assessment revenues to be distributed among certain funds, including the EMS Fund, on April  
9 18, 1995; and,

10 WHEREAS, Government Code Section 76000.5 as added by Chapter 841 of the Statutes of  
11 2006 provides that the County may elect to impose an additional penalty of two dollars (\$2) for every  
12 ten dollars (\$10) or fraction thereof, upon various fines, penalties and forfeitures collected by the  
13 courts for criminal offenses to be used to provide additional funds to the EMS Fund; and,

14 WHEREAS, Health and Safety Code Section 1797.98a as amended by Chapter 841 of the  
15 Statutes of 2006 provides that of the money deposited into the EMS Fund pursuant to Section 76000.5  
16 of the Government Code, fifteen percent (15%) shall utilized to provide funding for all pediatric  
17 trauma centers throughout the County, both publicly and privately owned and operated, provided,  
18 however, that counties that do not maintain a pediatric trauma center shall utilize the money deposited  
19 into the Fund to improve access to, and coordination of, pediatric trauma and emergency services in  
20 the County, with preference given for funding to be given to hospitals that specialize in services to  
21 children, and physicians and surgeons who provide emergency care for children; and, that the costs of  
22 administering money deposited into the Fund pursuant shall be reimbursed from the money collected,  
23 not to exceed ten percent (10%); therefore,

24 BE IT RESOLVED that pursuant to Government Code section 76000.5, on January 1, 2007  
25 and thereafter, there shall be levied, in addition to the penalties prescribed by Government Code  
26 section 76000.5, an additional penalty assessment of two dollars (\$2) for every ten dollars (\$10) or  
27 fraction thereof, which shall be collected, together with and in the same manner as the amounts  
28 established by Section 1464 of the Penal Code, upon every fine, penalty, or forfeiture imposed and

1 collected by the courts for criminal offenses, including violations of Division 9 (commencing with  
2 Section 23000) of the Business and Professions Code relating to the control of alcoholic beverages,  
3 and all offenses involving a violation of the Vehicle Code or any local ordinance adopted pursuant to  
4 the Vehicle Code, except parking offenses subject to Article 3 (commencing with Section 40200) of  
5 Chapter 1 of Division 17 of the Vehicle Code. Said additional money collected shall be taken from  
6 fines and forfeitures deposited with the County Treasurer prior to any divisions pursuant to Section  
7 1463 of the Penal Code.

8 BE IT FURTHER RESOLVED that all such additional assessments collected pursuant to  
9 Section 76000.5 of the Government Code shall be transferred to the County Auditor-Controller for  
10 deposit and account into the EMS "Maddy" Fund, and payments from the Emergency Medical  
11 Services Fund shall, in accordance with the requirements of Health and Safety Code section 1797.98a,  
12 et seq., after reimbursement of costs of administering the Fund, which amount shall not exceed ten  
13 percent (10%) of the money collected, be distributed as follows:

14 A. Of the total amount collected, reduced by the amount for administration, fifteen percent  
15 (15%) shall be to improve access to, and coordination of, pediatric trauma and  
16 emergency services in the County, with preference given to funding for hospitals that  
17 specialize in services to children, and physicians and surgeons who provide emergency  
18 care for children;

19 B. The balance of the remaining eighty-five percent (85%) of the funds collected shall be  
20 distributed as follows:

21 1. Fifty-eight percent (58%) to physicians and surgeons for emergency medical  
22 services provided by all physicians and surgeons in general acute care hospitals  
23 that provide basic or comprehensive emergency services up to the time the  
24 patient is stabilized.

25 2. Twenty-five percent (25%) to hospitals providing disproportionate trauma and  
26 emergency medical care services.

27 3. Seventeen percent (17%) for other emergency medical services purposes  
28 through the Local Emergency Medical Services Agency.

1 BE IT FURTHER RESOLVED that the Clerk of the Board is hereby directed to transmit to  
2 the Treasurer, Auditor-Controller and to the Riverside County Superior Court, a copy of this  
3 Resolution

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FORM APPROVED  
COUNTY COUNSEL

JAN 04 2007

B.T. Miller

BTM:jc  
12/20/06  
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